Commitment Items

Name of Agency Contact: Celeste Brown or Carri Grube Lybarker

Contact Phone Number: 734-4264 or 734-4297

Contact E-mail Address: cbrown@scconsumer.gov/clybarker@scconsumer.gov
Link to fees: http://www.consumer.sc.gov/Documents/Fees%20and%20Fine%20Report/Fines and Fees Report FY16 Proviso 117 74.pdf

	Agency Code	Agency Name (or Acronym)	Fund Number	Fund Title	Commitment Item	Commitment Item Title	Enabling Statute or Proviso	Purpose of Fund/Commitment Item	Program or Activity Supported by Revenue	Carry Forward Authority (Statute or Proviso)	Detail of How Revenue is Generated. Fees, Fines, Assessments, Charges, etc. amount(s). Identify who pays the fee, fine charge, etc.	FY 2015-16 Actual Revenue	FY 2016-17 Estimated Revenue	FY 2017-18 Projected Revenue
		CONCLINATED			I	1	1	To collect and askets force			1			
1	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4110020006	RETURNED CHECK FEE	§34-11-70(a)	To collect and retain fees from returned checks.	DCA Operations.	§34-11-70(a)	\$30 Returned check fee assessed on returned checks.	\$360	\$0	\$0
2	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4110110000	CREDIT NOTIFIC FEE	§37-6-202,203	To collect and retain revenue / fees to implement the cost of regulating registered creditors.	DCA Operations.	§37-6-203 Proviso 80.4	Credit Grantors file and pay an annual notification fee of \$120 per location.	\$581,377	\$600,000	\$593,566
		CONSUMER	222222				§37-6-203,204	To collect and retain revenue / fees to implement the cost of regulating registered creditors.	DCA Operations.	§37-6-203 Proviso 80.4	Rent to own businesses file and pay an annual notification fee of \$120 per location.	4.7.400	400.000	440.500
3	R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4110110001	CR NOT-RENT TO OWN		-				\$17,400	\$20,000	\$18,500
4		CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4150240000	MOTOR VEH DEAL CLSNG	§37-2-307	To collect and retain revenue / fees to implement the cost of regulating registered creditors.	motor vehicle closing fees	§37-2-307	Motor vehicle dealers who charge closing fees on contracts must pay a \$10 annual filing fee (up to \$25 beginning 06/16).	\$9,856	\$7,000	\$7,000
5	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160070000	PRENEED BURIAL CONT	§32-7-50(c)(2)	To collect and retain revenue/fees to implement the cost of regulating the sale of Preneed Funeral Contracts.	Legal Division- regulation of preneed funeral contracts	§32-7-50(c)(2)	Funeral Homes that sell Preneed Funeral Contracts to the general public are required to submit a copy of each contract sold to the Department (SCDCA) along with a fee of \$20. \$15 of each fee is used to implement regulation and \$5 of the fee is allocated to a trust account known as the Loss Reimbursement Account.	\$122,835	\$125,000	\$125,000
		CONSUMER AFFAIRS COMM		OPERATING REVENUE	4160080000	CREDIT CARD FILG FEE	§37-3-306(1)(a)	To collect and retain revenue/fees to implement regulation of lender credit cards.	Legal Division - regulation of lender credit cards	§37-3-306(1)(a)	Every creditor in South Carolina engaged in making consumer loans pursuant to a lender credit card or similar arrangement must pay an annual \$20 fee.	\$280	\$0	\$0
7		CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160090000	CERT OF AUTHORTY FEE	§39-61-80(a), 70(b)	To collect and retain revenue/fees to implement regulation of motor clubs.	Legal Division - regulation of	Proviso 80.5	Motor clubs that operate in SC must pay a \$500 annual fee.	\$15,000	\$20,000	\$16,000
8	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160100000	MOTOR CLUB REPR FEE	§39-61-120(e)	To collect and retain revenue / fees to implement regulation of motor club representatives.	Legal Division - regulation of motor clubs	Proviso 80.5	Representative of a motor club must pay a \$20 annual fee.	\$37,420	\$35,000	\$38,000
9	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160110000	ATHLETE AGENT FEE	§59-102-90(1)(2)	To collect and retain revenue / fees to implement regulation of athlete agents.	Legal Division - regulation of athlete agents	Proviso 80.2	Athlete agents must pay \$500 per representative for initial application and \$300 per representative for renewal.	\$25,700	\$25,000	\$27,000
10	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160120000	PRO EMP ORG/STF LEAS	§40-68-10(A), §40-68- 50(A)(1)(2)(3)	To collect and retain revenue / fees to implement Regulation of Professional Employer Organizations	Legal/Advocacy Division- regulation of PEO's	§40-68-170	Professional Employer Organizations (PEO's) pay a biennial license fee of \$1,500. Group PEO'S pay a biennial license fee of \$3,000. During even number years, the Department completes an assessment.	\$192,850	\$205,000	\$200,000

	1	1			1	1	To collect and note:	1	-	T			1
	CONSUMER					§40-58-110(A)(2)	To collect and retain nonrefundable fees by	Legal Division-regulation of	§40-58-110(C)	Nonrefundable processing fees of \$25 assessed by NMLS	ļ		
11 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160200000	MORT BROKER REC AMND	940-36-110(A)(2)	applicants using NMLS.	Mortgage Broker Act.	940-36-110(C)	which pass through to the Department.	\$1,375	\$3,000	\$3,000
11 11200	AITAINS COIVIIVI	30330000	OT ENATING NEVEROL	4100200000	WORT BROKER REC AWIND		To collect and retain	Wortgage Broker Act.		which pass through to the Department.	71,373	\$3,000	\$3,000
							revenue/fees to implement			Funeral Homes selling preneed funeral contracts to the	ļ		
	CONSUMER					§32-7-50(B)	the cost of regulating	Legal Division-regulation of		general public are required to file and pay \$250 for a	ļ		
12 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160320000	PREND BURIAL CNT LIC		Preneed Funeral.	Preneed Funeral.	§32-7-50(D)	license.	\$2,250	\$5,000	\$2,500
12 11200	71171113 COMM	30330000	OI ENATING NEVEROL	4100320000	TREIND BORIAL CIVI LIC		To collect and retain	Treneca ranera.	332 7 30(5)	+	72,230	Ş5,000	\$2,500
							revenue/fees to implement			Licensed preneed funeral contract providers are required to	ļ		
	CONSUMER					§32-7-50(D)	regulation of Preneed	Legal Division-regulation of		file and pay a \$200 renewal fee of which \$100 must go to	ļ		
13 R280	AFFAIRS COMM	20250000	OPERATING REVENUE	4160320001	PREND BURIAL CNT REN		Funeral.	Preneed Funeral.	§32-7-50(D)	the preneed loss fund.	\$32,000	\$0	\$32,500
13 11200	AFFAIRS COIVIIVI	30330000	OF ENATING NEVEROL	4100320001	FREIND BORIAL CIVI REIN		To collect and retain	Freneed Funeral.	932-7-30(D)		\$32,000	ŞÜ	\$32,300
	CONSUMER					§40-39-120	revenue/fees to implement	Legal Division-regulation of	Proviso 80.5	Pawnbrokers must pay an annual fee of \$275 per location.	ļ		
14 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160340000	PAWNBRKR CERT OF AUT	940-33-120	regulation of Pawnbrokers.	Pawnbrokers.	1 100130 00.3	Also a change of address fee of \$25.	\$66,650	\$60,000	\$65,000
14 1(200	71171113 COMM	30330000	OI ENATING NEVEROL	4100340000	TAWNSKKK CEKT OF ACT		To collect and retain	Tuwnbrokers.		7430 d change of dadress fee of \$25.	Ş00,030	300,000	Ş03,000
							revenue/fees to implement				ļ		
	CONSUMER					§40-58-50, 110(A)(1)	regulation of Mortgage	Legal Division-regulation of	§40-58-110(C)		ļ		
15 R280	AFFAIRS COMM	20250000	OPERATING REVENUE	4160350000	MORT BRKR REGIS FEE		Broker Act.	Mortgage Brokers.		Nonrefundable fee of \$550 charged to each applicant.	\$96.250	\$100.000	\$100.000
15 1200	AFFAIRS COIVIIVI	30330000	OPERATING REVENUE	4100550000	IVIORT BRAN REGIS FEE		To collect and retain	Mortgage Brokers.		Nonreturidable fee of \$550 charged to each applicant.	\$90,230	\$100,000	\$100,000
							revenue/fees to implement				ļ		
	CONSUMER					§40-58-110(A)(1)		Land Division resultation of	§40-58-110©	Named and the management of \$200 shared to each new	ļ		
46 0200	AFFAIRS COMM	20250000	ODEDATING DEVENUE	44.60250004	A A O DT D D K D INIT D D O FF		the cost of regulating	Legal Division-regulation of		Nonrefundable processing fee of \$200 charged to each new	Ć4.400	ćr 200	ćE 200
16 R280	AFFAIRS COIVIIVI	30350000	OPERATING REVENUE	4160350001	MORT BRKR INT PRO FE		Mortgage Broker Act.	Mortgage Brokers.		applicant.	\$4,400	\$5,200	\$5,200
							To collect and retain				ļ		
						507 44 00(4)	revenue/fees to implement				ļ		
						§37-11-30(A)	regulation of Continuing		§37-11-137		ļ		
	CONSUMER						Care Retirement	Legal Division-Continuing Car	e	Retirement care community must pay a licensing fee of			
17 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160390000	CON CARE RET COM LIC		Communites.	Retirement Communities.		\$2,000.	\$61,000	\$65,000	\$62,000
							To collect and retain				ļ		
							revenue/fees to implement			_ , , , , , , , , , , , , , , , , , , ,	ļ		
	CONSUMER					§37-7-102, §37-7-	regulation of Credit	Legal Division-regulation of		Each credit counseling organization must pay \$100 per			
18 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160410000	CRED COUNSEL ORG FEE	104(B)	Counseling Organizations.	Credit Counseling.	§37-7-122	business location for licensing.	\$10,100	\$9,500	\$11,500
							T II I I				ļ		
							To collect and retain				ļ		
							revenue/fees to implement				ļ		
	CONSUMER					§37-7-102, §37-7-	the cost of regulating Credit	Legal Division-regulation of	607 7 400	Each credit counseling organization must pay a		4	4
19 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160410001	CR COUNSL INVEST FEE	104(B)	Counseling Organizations.	Credit Counseling.	§37-7-122	nonrefundable \$50 investigation fee.	\$350	\$500	\$500
							To collect and retain				ļ		
						§37-16-40(B)	revenue/fees to implement		§37-16-40(B)		ļ		
	CONSUMER					30: 20 :0(2)	the cost of regulating	Legal Dvision-regulation of	30. 20 .0(2)	Each company wanting to offer Prepaid Legal Services must	ļ		
20 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160450000	PREPD LEGAL SVCS FEE		Prepaid Legal Service Act.	Prepaid Legal Services.		pay an annual fee of \$800.	\$7,200	\$8,000	\$8,000
							To collect and retain				ļ		
						§37-16-30	revenue/fees to implement		§37-16-30		ļ		
	CONSUMER					357 10 30	regulation of Prepaid Legal	Legal Division-regulation of	337 10 30		ļ		
21 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160450001	PREPD LEGAL REP FEE		Service Act.	Prepaid Legal Services.		Each applicant must pay an annual fee of \$40.	\$106,040	\$92,000	\$107,000
		1									ļ		
		1					To collect and retain				ļ		
		1			1		revenue/fees to implement	Legal Division-regulation of			ļ		
	CONSUMER	1					regulation of Discount	Discount Medical Plan		Each applicant must pay an annual fee between \$500-	ļ		
22 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160460000	DISC MED PL ORG FEE	§37-17-40	Medical Plan Organizations.	Organizations.	§37-17-40(5)	\$1,000 depending upon the number of representatives.	\$17,250	\$20,000	\$20,000
							To collect and retain						
	CONSUMER	1					revenue/fees to implement	Legal Division-regulation of		Each applicant must pay an annual nonrefundable fee of	ļ		
23 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160520000	MORTG ORIGINATOR LIC	§40-58-50, 110(A)(2)	Mortgage Broker Act.	Mortgage Brokers Act.	§40-58-110(C)	\$50 and \$100 for qualified loan originator.	\$23,800	\$35,000	\$25,000
							To collect and retain						
	CONSUMER	1				§40-58-110(A)(1)	revenue/fees to implement	Legal Division-regulation of		Each applicant must pay an annual nonrefundable fee of	ļ		
24 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160530002	MORT BRKR BRNCH OFF		Mortgage Broker Act.	Mortgage Brokers Act.	§40-58-110(C)	\$150 per each business location.	\$9,300	\$10,000	\$10,000
							To collect and retain		\/	<u> </u>	- ,	. ,	,
	CONSUMER	1					revenue/fees to implement	Legal Division-regulation of		Each credit counselor applicant must pay an annual fee of	ļ		
25 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4160540000	CREDIT COUNSELOR FEE	§37-7-104(C)(2)	Credit Counseling Act.	Credit Counseling.	§37-7-122	\$40.	\$31,920	\$35,000	\$35.000
-5 11200	, , to continu	30330000	S. EIVITING NEVEROL	7100040000	C.LEDIT COUNTELONTEL	33 104(0)(2)	2. July Court Schillig / Ice.	z. zare obarisemig.	1927 7 222	T	731,320	733,000	733,000

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							To collect and retain			Credit Grantors (lenders and credit sellers) that intend to			
						§37-2-305, §37-3-	revenue / fees to implement	DCA Operations	§37-2-305(7), 37-3-305(7)	impose an annual finance charge in excess of 18% must file			
	CONSUMER					305	regulation of registered	DCA Operations.	Proviso 80.4	a maximum rate schedule and pay an annual fee of \$40 per			
R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4420040000	RATE SCHEDULE FILE F		creditors.			location.	\$165,799	\$175,000	\$165,000
							To collect and retain			iocation.	7-00,000	7 = 1 0,000	7=00,000
							revenue/fees to implement						
	CONSUMER						the cost of regulating the	Legal Division-regulation of		Businesses that offer physical fitness services are required			
R280	AFFAIRS COMM	30350000	OPERATING REVENUE	4420080000	PHYSICAL FIT SVC FEE	§44-79-80 (5)	Physical Fitness Act.	Physical Fitness Act.	Proviso 80.5	to pay an annual fee of \$50 per location.	\$25,500	\$40,000	\$30,000
							To collect and retain funds						
	CONSUMER						used for general agency						
R280	AFFAIRS COMM	31480000	CONSUMER AWARENESS	4310020000	GEN CONT/DON-UNRES	§11-13-45	activities.	DCA Operations.	§11-13-45	Donations for agency use.	\$500	\$0	\$0
								Public Information and or					
							To collect and retain funds	Consumer Services Division-					
	CONSUMER						used to educate and inform	Education and Information					
R280	AFFAIRS COMM	21.400000	CONSUMER AWARENESS	4310030000	GEN OPER CONT/DON-RE	§11-13-45	the general public.	Services.	§11-13-45	Donations for a specific agency activity.	\$2,500	\$2.500	\$2,500
K28U	AFFAIRS COIVIIVI	31480000	CONSUMER AWARENESS	4310030000	GEN OPER CONT/DON-RE	911-15-45	the general public.	Services.	911-15-45	Donations for a specific agency activity.	\$2,500	\$2,500	\$2,500
							To collect and retain funds						1
	CONSUMER	1				1	from Consumer Product	Public Information Division-					ĺ
R280	AFFAIRS COMM	31480000	CONSUMER AWARENESS	4360040009	U S CONSUMER PROD	§11-13-45	Safety Commission contract.	Educational Services.	§11-13-45	Funds received from CPSC contractual obligations.	\$4,500	\$3,500	\$4,500
							To maintain, track &						
							reimburse funds to any	Purchases of preneed	§32-7-45, 110 Settlement				
	CONSUMER						consumers against this	contracts from Cremation	Agreement, Docket No.	Funds received from Cremation Society pursant to			
R280	AFFAIRS COMM	33750000	CREMATION SOCIETY FD	4530030000	MISC REVENUE	§32-7-45, 110	preneed provider.	Society.	14-ALJ-30-0436-CC	settlement agreement.	\$3,000	\$3,000	\$3,000
N20U	AFFAIRS COIVIIVI	33/30000	CREIVIATION SOCIETY FD	4550050000	IVIISC REVENUE	932-7-43, 110	· · · · · · · · · · · · · · · · · · ·	Society.	14-ALI-30-0430-CC	settlement agreement.	\$5,000	\$3,000	\$5,000
							To collect and retain late						
							fees assessed under SCCPC	Legal Division: Investigation					
							or TILA and other statutes	and Enforcement.					
	CONSUMER					§37-6-108-109, 113,	enforced by the	and Emorcement.		Businesses or persons regulated by SCDCA who pay fees			
R280	AFFAIRS COMM	38100000	VIOLATIONS OF SCCPC	4223080000	LATE FILING PENALTY	118, 506	Department.		Proviso 80.1	after the filing deadline are assessed late fees.	\$50,732	\$60,000	\$50,000
	CONSUMER						1						
R280	AFFAIRS COMM	38100000	VIOLATIONS OF SCCPC	4310080000	Non-Cash Asset Donat	N/A	Found asset.	N/A	N/A	Identified intangible asset from prior fiscal year.	\$95,000	\$0	\$0
							To collect and retain funds in						
							settlement of cases involving	Legal Division: Investigation		Persons violating the SCCPC or TILA pay fines and penalties			
							violations of the SCCPC and	and Enforcement.		as ordered by a Court of Law or through Departmental			
	CONSUMER					§37-6-108-109, 113,	other statutes enforced by	and Emorcement.		regulations.			
		2042000		450000000			the Department.		D		4400.000	4000 455	400= 400
R280	AFFAIRS COMM	38100000	VIOLATIONS OF SCCPC	4530030000	MISC REVENUE	118, 506		-	Proviso 80.1	1	\$138,899	\$293,466	\$295,400
							To reimburse applicants who						
							have suffered financial loss			Funeral Homes that sell Preneed Funeral Contracts to the			
							as a result of the			general public are required to submit a copy of each			1
		1					misfeasance, fraud, default,	Purchasers of preneed		contract sold to the Department (SCDCA) along with a fee			ĺ
							failure, or insolvency of a	contracts.		of \$20. \$15 of each fee is used to implement the cost of			1
							South Carolina funeral home			regulation and \$5 of the fee is allocated to a trust account			1
	CONCLINATED	1				1	or South Carolina funeral			known as the Loss Reimbursement Account.			ĺ
	CONSUMER			4460		522 7 50 (5) 50(-)	director.		522 7 50(P)		404 == :	A-	1
R280	AFFAIRS COMM	47450000	PRENEED LOSS REIMB F	4160150000	PRE FUNERAL LOSS RMB	§32-7-50 (D), 60(B)			§32-7-60(B)		\$24,701	\$0	\$0
							To penalize funeral homes			Listing or fees that are not sent to the department within			1
		1				1	that sell preneed contracts			sixty days of the last day of the month when the contract			ĺ
	CONSUMER	1					who do not comply with §32	Purchasers of preneed		was sold the Department (SCDCA) assesses a late fee of			ĺ
R280	AFFAIRS COMM	47450000	PRENEED LOSS REIMB F	4223130000	PREN FNR LSS CIV PEN	§32-7-50 (C)(1)	7-50 (C)(1).	contracts.	§32-7-60(B)	\$10 per each late contract.	\$3,790	\$0	\$0
							Collect interest on trust			7	T=/:	7.7	7.7
	CONSUMER	1						.]					ĺ
D200		47450000	DDENIEED LOSS DEIMAS E	4660040600	INIVEST EDN	522 7 60(6)	account funds as required by		522 7 CO(C)	laterest sound on finale deposited in turns	64.742	ćo.	<u> </u>
R280	AFFAIRS COMM	4/450000	PRENEED LOSS REIMB F	4660010000	INVEST ERN	§32-7-60(C)	§32-7-60(C)	State of South Carolina	§32-7-60(C)	Interest earned on funds deposited in trust.	\$4,742	\$0	\$0

Agency Funds

Cash Balances and Expenditures

Name of Agency Contact: Celeste Brown or Carri Grube Lybarker

Contact Phone Number: 734-4264 or 734-4297

Contact E-mail Address: cbrown@scconsumer.gov/clybarker@scconsumer.gov

Agency Code	Agency Name (or Acronym)	Fund Number	Fund Title	FY 2015-16 Year End Cash Balance	FY 2015-16 Total Expenditures from	Cash Balance as a % of	Describe in detail why the agency needs to carry forward a balance greater than one-sixth (16.5% = 60 days) of the funds identified as total expenditures for the prior fiscal year			
					Fund	Expenditures				
	CONSUMER									
1 R280	AFFAIRS COMM	30350000	OPERATING REVENUE	\$201,714	\$1,573,632	12.82%				
	CONSUMER						Funds needed to meet the other operating costs as DCA is a majority other fund funded agency, with the bulk of funds			
2 R280	AFFAIRS COMM	31480000	CONSUMER AWARENESS	\$14,659	\$10,598	138.33%	collected during the third quarter of each fiscal year.			
	CONSUMER									
3 R280	AFFAIRS COMM	33750000	CREMATION SOCIETY FD	\$12,000	\$0	NA				
							Funds needed to supplement costs associated with the contractual obligations for the implementation of a new agency			
	CONSUMER						registration/filing system. In addition, funds are needed to meet other operating costs as DCA is majority other fund			
4 R280	AFFAIRS COMM	38100000	VIOLATIONS OF SCCPC	\$401,756	\$321,489	124.97%	funded, with the bulk of these funds not being collected until the third quarter of each fiscal year.			
	CONSUMER									
5 R280	AFFAIRS COMM	47450000	PRENEED LOSS REIMB F	\$394,631	\$0	NA				